

<u>ORDER</u>

Came on for consideration the motion of defendant, Adam

Levine, to dismiss second amended complaint. The court, having

considered the motion, the response, the reply, the record, and

applicable authorities, finds that the motion should be denied.

Jurisdiction is based on plaintiffs' allegations that defendant has violated the Computer Fraud and Abuse Act, 18 U.S.C. § 1030, thus entitling them to pursue this civil action for compensatory damages and injunctive relief. The court is satisfied that plaintiffs have given defendant fair notice of what the claims are and the grounds upon which they rest. Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555 (2007). Further, the facts pleaded allow the court to infer that the plaintiffs' right to relief is plausible. Ashcroft v. Igbal, 556 U.S. 662, 678 (2009).

The court ORDERS that defendant's motion to dismiss be, and is hereby, denied.

SIGNED May 18, 2015.

OHN MCBRYDE

United States District Judge